

AGENDA

CONNECTICUT STATE BOARD OF CHIROPRACTIC EXAMINERS

Thursday, January 22, 2009, at 9:00 A.M.
Department of Public Health
410 Capitol Avenue, Hartford, Connecticut
Conference Room F– Second Floor

CALL TO ORDER

I. MINUTES

Review of the minutes from November 6, 2008.

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigations Supervisor

III. NEW BUSINESS

- A. Annual Approval of Chiropractic Colleges/Universities
- B. Delegate to the Federation of Chiropractic Licensing Boards and the National Board of Chiropractic Examiners

IV. OLD BUSINESS

- A. Manipulation Under Anesthesia

V. ADDITIONAL AGENDA ITEMS

ADJOURN

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

The **Connecticut State Board of Chiropractic Examiners** held a meeting on **November 6, 2008** at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room E, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Matthew Scott, DC – Chairman
Michele Imossi, DC
Paul Powers, DC
Sean Robotham, DC
Marian Terry – Public member

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey Kardys, Board Liaison
Daniel Shapiro, Assistant Attorney General
Stacy Owens, Ethics Officer, DPH
Kathleen Boulware, Practitioner Investigations Unit, DPH
Gary Griffin, Investigations Supervisor, DPH
John Serafin DC, Connecticut Chiropractic Association

Dr. Scott called the meeting to order at 9:10 a.m.

Mr. Kardys reported that effective October 2, 2008, Board member Robert Brandt was deemed to have resigned by the Governor's Office due to his failure to attend Board meetings since his appointment. There are now two public member vacancies on the Board.

I. MINUTES

Dr. Powers made a motion seconded by Dr. Imossi, to approve the minutes from the August 20, 2008 meeting. The motion passed unanimously.

II. NEW BUSINESS

A. Ethics Presentation

Stacy Owens, Esq. Ethics Officer, Department of Public Health reviewed the ethics rules from the Guide to the Code of Ethics for Public Officials and state employees. The Presentation was for informational purposes and she answered questions from Board members.

B. Schedule Meeting dates for 2009

January 22, 2009 (Inclement weather alternate date will be February 5, 2009)

May 7, 2009

August 20, 2009

November 5, 2009

All meetings will be scheduled for 9:00 a.m., at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut.

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

Review of Consultant Guidelines

Kathleen Boulware, RN, Practitioner Investigations Unit, Department of Public Health reviewed the Guidelines for Consultants. Dr. Powers recommended adding an entry for informed consent.

Investigations Update

Gary Griffin, Investigations Supervisor, DPH reported there are 6 cases under investigation. 2 cases were referred to the DPH Legal Office and will be presented today to the Board as consent orders.

IV. LEGAL OFFICE BUSINESS

Joseph Bartko, Jr., DC – Petition No. 2006-0329-007-004

Ellen Shanley, Staff Attorney, Legal Office, Department of Public Health presented a Consent Order in this matter. Neither Dr Bartko nor his attorney was present. This matter was discussed at the August 20, 2008 Board meeting but no vote taken made due to lack of quorum. The case was reviewed. Dr. Robotham made a motion, seconded by Dr. Imossi, to approve the Consent Order. The motion passed unanimously. Dr. Scott signed the Order.

Marc Kirshner, DC – Petition No. 2007-0426-007-003

Ellen Shanley, Staff Attorney, Legal Office, Department of Public Health presented a Consent Order in this matter. Attorney Pat McMahon was present on behalf of Dr. Kirshner. Dr. Kirshner was present.

After much discussion and interaction, Dr. Powers made a motion, seconded by Ms. Terry to approve the Consent Order. The motion passed unanimously. Dr. Scott signed the Order.

Marion Terry recommended that for future consent orders requiring supervision that practice supervisors be chosen from a list provided by the DPH.

V. OLD BUSINESS

Manipulation Under Anesthesia

Assistant Attorney General Daniel Shapiro reiterated he has been busy too finish this and has issues to discuss with the DPH. He assured the Board he would be ready for the next meeting with this.

Utilization Review

Assistant Attorney General Shapiro provided language from § 38a-226(c) which is “on point” from the insurance statutes. Attorney Shapiro stated that the Board could not issue a declaratory ruling which superseded the insurance department statute and any change would have to be legislative. § 38a-226(c) requires licensure, in any state, by individuals who make utilization review decisions and that all final determinations not to certify an admission, service, procedure or extension of stay, except in workers compensation cases, shall be made by a Connecticut licensee.

VI. OTHER BUSINESS

Dr. Powers asked about doctors retiring that want to maintain their license. Under existing statutes, the doctor would need to continue to pay the yearly license fee and maintain their CE requirements. It was also discussed that retiring doctors must meet requirements of medical records under § 19a-14-44.

VII. ADJOURNMENT

The meeting was adjourned at 10:30 a.m.

Respectfully submitted
Paul Powers, DC
Connecticut State Board of Chiropractic Examiners